

# Notice of Allowability

Application No.

09/648,449

Examiner

Benjamin E. Lanier

Applicant(s)

COFTA, PIÓTR

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 11 June 2007.
2. ☒ The allowed claim(s) is/are 1,4,6-9,23,27-32 and 36-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Christopher Glembocki on 13 August 2007.

The application has been amended as follows:

1. (Currently Amended) A method comprising:

obtaining information from a control point by a token, the token configured to connect to a network having a token issuer accessing a database of issued tokens and a control point operator accessing a database of approved control points, the network including a first communication pathway and a second communication pathway, said token obtaining the information from the control point via a third communication pathway;

transmitting from said token said information obtained from said control point to said token issuer via said first communication pathway and information regarding said token to said control point operator via said second communication pathway, said control point operator authenticating said token with said token issuer and said token issuer authenticating said control point with said control point operator;

receiving at said token via said first and second communication pathways said authentication of said control point and said authentication of said token;

transmitting to said control point said authentication of said token via said third communication pathway so as to authenticate an action performed at said control point by a user involving said token that was issued to the user and which is involved with the user performing the action,

wherein the token is a mobile wireless communication device.

4. (Currently Amended) The method of claim 1, wherein said mobile communication device communicates with said token issuer using a wireless communication path in at least part of said first communication pathway.

23. (Currently Amended) A device comprising:

a wireless communication portion that obtains information via a first communication path regarding a control point and communicates wirelessly via a second communication path with an external entity to authenticate said control point based on said information and communicates wirelessly via a third communication path to authenticate a user to the control point to perform an action using the control point, said device having been issued to said user, said wireless communication portion configured to transmit via said first communication path authentication of said device to the control point after having been received from said network via said third communication path; and

a user interface portion, coupled to said communication portion, to indicate a result of said authentication of the control point to a user,

wherein the device is a mobile communication device and said communication authenticating said control point and said user device is received from over said network, with authentication of said control point from said external entity including verification of said control point with a control point operator and authentication of said device from said control point operator including verification of said device with said external entity.

38. (Currently Amended) A method comprising:

obtaining information from a control point by a token, the token having been issued to a user to authenticate an action performed at the control point and involving the token, the token configured to connected to a network having a token issuer accessing a database of issued tokens and a control point operator accessing a database of approved control points, said network forming a first communication pathway and a second communication pathway, said token accessing the network via a first wireless interface, said token obtaining the information via a third communication pathway using a second wireless interface of said token;

transmitting via said first communication pathway using said first wireless interface through said network from said token said information obtained from said control point and

Art Unit: 2132

transmitting via said second communication pathway information regarding said token, said information being transmitted to said network from said token;

receiving at said token via said first and second communication pathways over said first wireless interface an authentication of said control point and an authentication of said token; and

transmitting to said control point said authentication of said token via said third communication pathway using said second wireless interface,

wherein the token is a mobile wireless communication device.

39. (Currently Amended) A method comprising:

obtaining information from a control point by a token, the token having been issued to a user so as to authenticate an action performed at the control point, the action involving the token, the token being connectable to a network having a token issuer accessing a database of issued tokens and a control point operator accessing a database of approved control points, said network forming a first communication pathway and a second communication pathway, the token obtaining the information via a third communication pathway where the control point is local to said token;

transmitting via said first communication pathway through said network from said token said information obtained from said control point and transmitting via said second communication pathway information regarding said token, said information being transmitted to said network from said token;

receiving at said token via said first and second communication pathways an authentication of said control point and an authentication of said token; and

transmitting to said control point said authentication of said token via said third communication pathway,

wherein the token is a mobile wireless communication device.

***Allowable Subject Matter***

2. Claims 1, 4, 6-9, 23, 27-32, 36-39 are allowed.

The following is an examiner's statement of reasons for allowance: The claimed invention generally concerns authenticating a user token to perform a certain action at a control

Art Unit: 2132

point wherein the token transmits control point information, received from the control point through a communication pathway, to the issuer of the token, through a different communication pathway, and transmits token information to a control point operator, through a yet another communication pathway, such that token issuer provides the token with an indication that the control point is authentic and the control point provides the token with an indication that the token is authentic. The token receives the indications through the same respective communication pathways through which the initial information were transmitted. The token then provides the indication that the token is authentic to the control point through the same communication pathway with which the token received the control point information.

The prior art does not disclose or make obvious the claimed features described above, wherein this composite recitation incorporated into independent claims 1, 23, 38, and 39, renders these claims, and their dependants, allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin E. Lanier whose telephone number is 571-272-3805. The examiner can normally be reached on M-Th 7:30am-5:00pm, F 7:30am-4pm.

Art Unit: 2132

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Benjamin E. Lanier